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SUPREME COURT, U.S.

SUPREME COURT OF UNITED STATES
CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CIRCUIT

JOHN TIMOTHY REED

V

CARL AJELLO ATTORNEY GENERAL
OF CONNECTICUT JACK HANBERRY
WARDEN U.S. PENITENTIARY
AT ATLANTA GEORGIA

80-6504

NO.

ON WRIT CERTIORARI
TO THE UNITED STATES
COURT OF APPEALS
FOR THE SECOND CIRCUIT

JOHN TIMOTHY REED
PETITIONER PRO SE
PO BOX 1000
MARION ILLINOIS
62959

STATUTE LAW

TITLE 28 U.S.C. 2241 eT SEQ.
28 U.S.C. 1446 (E)
18 U.S.C. APP. 2ART IV (a)
ART. III AND RT. IV
TITLE 28 2243
28 U.S.C.[1915(d)
Title 28 U.S.C. 2403

MOTION FOR LEAVE TO PROCEED APPEAL

ON TYPE WRITTEN FORM

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS
AND AFFIDAVIT OF POVERTY

CERTIFICATE OF SERVICE

CASE LAW

U.S. V DICKINSON 465 F2d 496 (ca5 1972)

SEE eg PEOPLE WYNN 2173 (MICH 1977)

eg WALLACE V. LYNN 507 F2d 1186 (D.C. CIR. 1974))

JONES V HENDERSON 495 Fed559 5TH CIR. 1974)

JONES V. CARLSON 495 Fed 209 (5TH CIR. 1974)

PADEN V.UNITED STATES 430 F 2ED 882 (5TH CIR.(1970)

CHIN YOW V.U.S. 1908 28 S.C.T 201, 208 U.S. 852 1.Ed 369.

IN RE STRAVSS N.Y. 1903 F. 327 63 S. CT. 535 197 U.S. 324 47 1. Ed 774

EXPARTE BROWN D. C. N. Y. 1886, 28 F. 653

EX PARTE MORGAN D.C. DC ARK 1883, 20 F. 298

HARPER V. WALL, D. C. N J. 1949, 85 F SUPP.783.

CUYLER V ADAMS NO. 78 1841

EXHIBITS

(A) TIME SHEET EXHIBIT (A)

(B) JUDGMENT AND COMMITMENT EXHIBIT (B)

(C) MITTIMUS ISSUED JUNE 18, 1971 EXHIBIT (C)

(D) ORDER EXHIBIT (D)

(E) MEMORANDUM OF DECISION AND ORDER

(F) DOCKET ENTRY EXHIBIT (F)

(G) CERTIFCATE OF PROABLE CAUSE

(H) PRISONER REMAND OR ORDER TO DELIVER EXHIBIT(H)

(I) WRIT OF HABEAS CORPUS AD PROSEQUENDUM EXHIBIT (I)

(J) PAROLE SLIPS EXHIBIT (J)

SUPREME COURT OF UNITED STATES

CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CURCUIT NO.

JOHN TIMOTHY REED

V.

CARL A JELLO, A TTORNEY GENERAL
OF CONNECTICUT JACK HANBERRY
WARDEN US. PENITENTIARY AT ATLANTA, GEORGIA

PROOF OF CERTIFICATE OF SERVICE

I, JOHN TIMOTHY , HEREBY CERTIFY THAT I HAVE SERVED A TRUE AND CORRECT COPY OF THE FOREGOIN G WRIT CERCIORARI UPON THE ATTORNEY OF UNITED STATES , UPON THE ATTORNEY GENERAL OF CONNECTICUT. BY PLACING SAIDI IN A SEALED PREPAID ENVELOPE ADDRESSED TO Office of Attorney General of United States Sup. Ct of U.S. Wash. D.C. 20543. Carl A Jello Attorney General of Connecticut. Office of The Clerk New Haven, Conn. 06505.

JOHN REED
John Reed
PETITIONER PR O SE

Authorized by the Act of July 7, 1955
to Administer Oaths (28 U. S. C. 4 [illegible]

P O BOX 1000

04-01-81

MARION , ILLINOIS

62959

SUPREME COURT OF UNITED STATES
CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CIRCUIT

JOHN TIMOTHY REED

V

CARL AJELLO ATTORNEY GENERAL NO.

OF CONNECTICUT JACK HANBERRY

WARDEN US. PENITENTIARY

AT ATLANTA GEORGIA

MOTION FOR LEAVE TO PROCEED ON APPEAL
ON TYPE-WRITTEN FORMS

COMES THE PETITIONER JOHN TIMOTHY REED AND MOVES THIS COURT FOR LEAVE TO PROCEED ON THIS APPEAL ON TYPE-WRITTEN FORMS. APPELLANT, IN SUPPRT OF THIS MOTION, REPRESENTS THAT HE IS UNABLE, DUE TO HIS POVERTY AND IMPRISONMENT, TO HAVE HIS BRIEFS AND OTHER PRINTED IN STANDARD FORM AS REQUIRED BY THE RULES THIS COURT.

RESPECTFULLY SUBMITTED
John Reed
JOHN TIMOTHY REED
APPELLANT PRO SE
PO BOX 1000
MARION, ILLINOIS 62959

Authorized by the Act of July 7, 1955
to Administer Oaths (28 U.S.C. 459)

J B Hamm
04-02-81

SUPREME COURT OF UNITED

CERTIORARI TO THE UNITED STATES

COURT OF APPEALS FOR THE SECOND

JOHN TIMOTHY REED

V.

CARL AJELLO, ATTORNEY GENERAL OF

CONNECTICUT JACK HANBERRY

WARDEN US. PENITENTIARY AT

ATLANTA, GEORGIA

NO.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

COMES THE PETITIONER JOHN TIMOTHY REED AND MOVES THIS COURT FOR LEAVE TO PROCEED IN THIS ACTION IN FORMA PAUPERIS PURSUANT TO 28 U.S.C. & 1915 (D) WITHOUT FIRST BEING REQUIRED TO PRE-PAY FEES AND COSTS OR OTHERWISE BEING REQUIRED TO GIVE SECURITY THEREFOR.

IN SUPPORT OF THIS MOTION PETITIONER HAS ATTACHED HIS AFFIDAVIT OF POVERTY HERETO.

Authorized by the Act of July 7, 1955
to Administer Oaths [illegible]

04-02-81

RESPECTFULLY SUBMITTED,

John Reed

JOHN TIMOTHY REED
PETITIONER PRO SE
PO BOX 1000
MARION, ILLINOIS
62959

SUPREME COURT OF UNITED STATES
CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CIRCUIT

JOHN TIMOTHY REED

V.

CARL AJELLO, ATTORNEY GENERAL OF
CONNECTICUT JACK HANBERRY
WARDEN US. PENITENTIARY
ATLANTA, GEORGIA

AFFIDAVIT OF POVERTY

JOHN TIMOTHY REED , BEING FIRST DULY SWORN ACCORDING TO LAW,
DEPOSES AND SAYS.

(1) I AM THE PLAINTIFF IN THE ABOVE TITLED ACTION,

(2) I BRING THIS IN GOOD FAITH ,

(3) I BELIVE THAT I AM ENTITLED TO THE REDRESS SOUGHT IN
THIS ACTION.

(4) I HAVE READ KNOW THE CONTENTS OF THE COMPLAINT AND BELIEVE
THEM TO BE TRUE.

(5) THE ONLY MONEY I OWN IS THAT SENT TO ME BY MY FAMILY FOR THE
PURPOSE OF PERSONAL HYGIENE. I PRESENTLY HAVE $0.00 in my
prison account. (SEE ATTACHMENT A OF THIS AFFIDAVIT, WHICH
IS THE WARDEN'S CERTIFICATE OF THE AMOUNT OF MONEY PRESENTLY
IN MY ACCOUNT)

(6) other than the above money receive by me FROM MY FAMILY
I HAVE NO OTHER INCOME AND HAVE NOT WORKED AT A PAYING
JOB ON THE OUTSIDE SINCE 1969.

(7) BECAUSE OF MY POVERTY I AM UNABLE TO PAY THE COSTS OF
THIS ACTION, TOGIVE SECURITY THEREFOR OR TO EMPLOY AN ATTORN

(8) I UNDERSTAND THAT ANY STATEMENT MADE BY ME IN THIS AFFIDAVIT
THAT IS NOT TRUE AND CORRECT TO THE OF MY KNOWLEDGE AND
BELIEFS WILL SUBJECT ME TO THE PENALTIES OF PERJURY.

John Reed

JOHN REED 95026 131
PEPITIONER PRO SE
MARION, ILLINOIS

Authorized by the Act of July 7, 1958
to Administer Oaths (28 U. S. C. 459)

SUPREME COURT OF UNITED STATES

JOHN TIMOTHY REED

V

CARL AJELLO ATTORNEY GENERAL

OF CONNETICUT JACK HAMBERRY

WARDEN U.S. PENITENTIARY

AT ATLANTA GEORGIA

NO.

ON WRIT CERTIORARI

TO THE UNITED STATES

COURT OF APPEALS

FOR THE SECOND CIRCUIT

COMES THE PETITIONER JOHN TIMOTHY REED AND MOVES THIS COURT PURSUANT TO TITLE 28 U. S. C. 2403 . TO ISSUE A WRIT OF HABEAS CORPUS. IN SUPPORT OF HIS PETITION, PETITIONER SHOWS AND ALLEGES:

PETITIONER IS PRESENTLY SERVING A SENTENCE OF 19 YEARS FOR BANK ROBBERY REG. ADULT SENTENCE IN VIOATION OF TITLE 18, SECTION 2113A,B IMPOSED BY UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT. ON THE 2nd DAY OF OCTOBER 1970 SENTENCE WAS IMPOSED BY HONORABLE JUDGE ROBERT C. ZAMPANO, UNITED STATES DISTRICT JUDGE.

A COPY OF THE TIME SHEET , INDICTMENT, JUDGMENT AND SENTENCE ARE ATTACHED HERETO AND MARKED AS EXHIBET (A)

RESPECTIVELY, PETITIONER IS PRESENTLY CONFINED IN THE PENITENTIARY AT MARION ILLINOIS PO BOX 1000.

(1) THAT THE METERIAL FACTS WERE NOT ADEQUATELY DEVELOPED AT THE STATE COU RT .

(2) THAT THE STATE COURT LACKED JURISDICTION OF THE SUBJECT MATTER OR OVER THE PERSON OF THE Petitioner IN A STATE COURT PROCEEDING.

(3) THAT THE PETITIONER DID NOT RECEIVE A FULL, FAIR AND ADQUOTE HEARING IN THE STATE COURT PROCEEDING.

(4) THAT THE PETITIONER WAS OTHERWISE DENIED DUE PROCESS OF LAW IN THE STATE COURT PROCEEDINGS

(5) NOT PRESENT IN COURT TO CONTEST REMOVAL TO STATE PRISON AFTER SERVERSE OF FEDERAL SENTENCE PAROLE DATE JANUARY 24, 1980.

STATEMENT OF FACTS

(1) PETITIONER WAS DENIED DUE PROCESS OF LAW WHEN THE METERIAL FACTS WERE NOT ADEQUATELY DEVELOPED AT THE STATE COURT HEARING.

(2) PETITIONER WAS DENIED DUE PROCESS BY ADMINISTRATIVE AUTHORITY BY BEING DENIED HIS RIGHT TO CONTEST EXTRIDITION IN ASTATE COURT PROCEDING.

(3) PETITIONER WAS DENIED DUE PROCESS BY PRISON AUTHORITY.BY THE Sheriff REFUSING TO REMOVE THE PETITIONER PERSON TO THE FULDON COUNTY SUPERIOR COURT ATLANTA GEORGIA TO RECEIVE AN ADQUATE HEARING IN A STATE COURT PROCEEDING.

(4) PETITIONER WAS DENIED DUE PROCESS BY NOT BEING PRESENT TO START THE PROCESS OF EXTRIDITION AFTER SERVERSE OF FEDERAL SENTENSE. PAROLE DATE JANUARY 24, 1980.

BRIEF IN SUPPORT OF STATEMENT OF FACTS

PETITIONER AN INMATE AT ATLANTA FEDERAL PENITENTIARY RECEIVE INITIAL PAROLE HEARING ON OCTOBER 14, 1976. POLLOWING WITCH PAROLE WAS DENIED. PETITIONER RECEIVED A SECOND PAROLE HEARING ON NOVEMBER23, 1979. POLLOWING WITCH PAROLE WAS GRANTED JANUARY 24, 1980 TO THE DETAINING AUTHORITY ONLY. AT THE N OVEMBER PAROLE H EARING THE PROCESS OF EXTRIDITION WAS MADE PART OF TH E PROCEEDING AND PAROLE WAS STILL GRANTED TO THE DETAINING AUTHORITY ONLY .

PETITIONER WAS DENIED THE RIGHT TO BE PRESENT AT THE FULDON COUNTY SUPERIOR COURT BY PRISON OFFICIAL TO START THE PROCESSOF EXTRIDITION TOTHE STATE OF CONNECTICUT TO SERVE A SENTENCE OF LIFE IMPRISONMENT FOR THE CRIME OF SECOND DEGREE MURDER.

PETITIONER SIGNED FOR PAROLE AT THE NOVEMBER PAROLE HEARING.

THE REGIONAL OFFICE FILED A MEMORANDUM JANUARY 1980,WHICH STATES THAT EXTRIDITION WAS DISCUSSED AND IF THE CONNECTICUT DETAINER WAS REMOVED THE BOA WOULD RECONCIDER IT"S DECISION OF NOV. 1979.

CONNECTICUT AUTHORITY WERE NOTIFY, THEY DID NOT ARRANGE ANY PROCESS TO REMOVE

[redacted] THE PETITIONER TO THE CONNECTICUT STATE PRISON TO SERVE THE SENTENCE OF LI FOR SECOND DEGREE MURDER ATTACHED HERETO IS THE MITTIMUS ISSUED JUNE 18,1971 as EXHIBIT, C.

PETITION FOR WRIT OF HABEAS CORPUS CIVIL ACTION NO.C79-714 A, WAS FILED AND TH COURT ERRED BY NOT ORDERING THE SHERFF"S OFFICE TO START THE PROCESS OF EXTRI TION AT THE FULDON COUNTY SUPORIOR COURT ATLANTA GEORGIA.

THE DICTRICT COURT AT ATLANTA GEORGIA ERRED BY TRANSPERRING THE PETITION FOR WRIT OF HABEAS CORPUS TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT. CIVIL NO. N_79-130 CIVIL NO. N-79-131.

THIS PETITION WAS DENIED SEPTEMBER OF 1980 ATTACHED HERETO IS A COPY OF DECIS EXHIBIT, D.

THE UNITED STATES DISTRICT COURT OF CONNECTICUT ERRED BY NOT TRANSPERING THE CASE TOTHE FULDON COUNTY SUPERIOR COURT TO START THE PROCESS OF EXTRIDITION.

THE UNITED STATES DISTRICT COURT ERRED BY [redacted] denying MOTION FOR RECONSIDERATION ATTACHED HERETO DOCKET ENTRY TO SHOW THE COURT HOW THE DISTRICT COURT ERRED BY DENING THE MOTION FOR RECONSIDERATION WITHOUT OPINION. Exhibit P

THE UNITED STATES COURT OF APPEALS SECOND CIRCUIT ERRED BY DENING [redacted] A MOTION FOR CERTIFICATE OF PROABABLE CAUSE.

(EXTRADITE)

(1) DELIVER UP A PRISON OR FUGITURE TO ANOTHER NATION OR JURISDICTION

(2) SECURE CUSTODY OF A PERSON BY EXTRIDITION .

RESON FOR CONTESTING EXTRIDITION

PETITIONER STSTE TRIAL CONDUCTED WITHOUT AUTHORITY. NO WRIT OF HABEAS CORPUS ADPROSEQUNDUM ISSUED BY THE SUPERIOR COURT HOLDEN AT NEW HAVEN CONNECTICUT TO OBTAIN CUSTODY OF PETITIONER PERSON FOR TRIAL NO. 15866 STATE OF CONNECTICUT Vs JOHN REED AKA JOHN REID NEW HAVEN COUNTY MITTIMUS ISSUED JUNE 18,1971. EXHIBET C, A FEDERAL REMAND ORDER SHOWS THE COURT THAT PETITIONER WAS A FEDERAL PRISONER ON TRIAL IN A STATE SOVERDIAN WITH OUT AUTHORTHY. A COPY OF THE REMAND ORDER IS ATTACHED HERETO. Exhibet H.

LAW POINTS

HABE AS CORPUS WRIT ADPROSEQUNDUM NOT COVERED BY DETAINERS AGREEMENT.

JURISDITION REMOVAL PETITIONS SEE U. S. V DICKINSON 465 FED 496 (CA5 1972)

(THE RULE THAT INVALID COURT ORDER
MUST NEVERTHESS BE OBEYED UNTIL
SET ASIDE PRESUPPOSES THE EXISTENCE
OF AT LEAST THREE CONDITION.)
(1 THE COURT ISSUING THE ORDER MUST ENJOY
SUBJECT MATTER AND PERSONAL JUR-
ISDICTION OVER THE CONTROVERSY
(2)ADEQUATE AND EXPEDITIVE PROCEDURES
MUST BE AVAILABLE FOR ORDERLY
REVIEW OF THE CHALLENGED RULING
AND
(3) THE ORDER MUST NOT REQUIRE AN
IRREDRIEVABLE SURRENDER OF
CONSTITUTIONAL GUARANTEES

28 USC 1446 (E) PROVIDES THAT UPON FILING OF A REMOVAL

PETITION AND NOTICE TO THE STATE COURT THAT COURT (SHALL)

PROCEED NO FURTHER UNLESS AND UNTIL THE CASE IS REMANDED

SEE ec PEOPLE V WYRK 21 CRL
(3173) (MICH 1977)

IN ANOTHER CASE STATE OF NEW JERSEY COUNTY OF MONMOUTH V JOHN REED, ISSUED A WRIT OF HABEAS CORPUS ADPROSEQUENDUM TO A FEDERAL PRISONER TO SECURE CUSTODY FOR PRISONER PERSON FOR TRIAL IN THE COUNTY OF MONMOUTH STATE OF NEW JERSEY ATTACHED HERETO IS A COPY OF SAID WRIT. TO SHOW THE COURT HOW A FEDERAL PRISONER CUSTODY IS OBTAINED. Exhibet I.

THIS PROCESS DID NOT TAKE PLACE AT THE SUPERIOR COURT HOLDIN AT NEW HAVEN CONNECTICUT OR WAS THERE TRANSFER OF CUSTODY MADE EITHER PURSUANT TO A WRITTEN REQUEST FOR TEMPORARY CUSTODY UNDER THE INTER STATE AGREEMENT ON DETAINERS 18usc APP. 2ART. IV(A) OR PURSUANT TO A WRIT OF HABEAS CORPUS ADPROQUENDUM.

THE COURT ERRED BY NOT ISSUING A WRIT TO SECURE CUSTODY OF PETITIONERP PERSON FOR TRIAL IN A STATE SOVERGIN .

CASES WH ERE THE ALLEDGED ERROR WHETHER IT BE CONSTITUTIONAL OR OTHERWISE, IS CORRECTABLE UPON AGENCY REVIEW SEE, er WALLACE V. LYON 507 F2d 1186 (D.C. CIR.1974): JONES V. HENDERSON , 495 Fed 559 5th CIR. 1974). JONES V. CARLSON 495, F2d 209 (5th CIR. 1974) .

APTE R TWENTYFIVE MONTHS FROM THE DATE OF PAROLE THE CONNECTICUT AUTHORITY DID OBTAIN CUSTODY OF PETITICNER PERSON.

NOTICE OF ACTION ON DEC. 8 1980 FROM THE PAROLE COMMISSION REOPEN SCH EDULE FOR A NEW HEARING TO CONSIDER NEW INFORMATION IE: STATUTE OF EXTRADITION PROCEEDINGS .

(28 C.F.R. 228 NEW INFORMATION.

INFORMATION

THE BOARD DECISION AT THE FEBRUARY HEARING

paroled to the half WAY.

THE DISTINCTION WITH RESPECT TO CONSTITUTIONAL CLAIM IS THUS THE CONSTITUTIONALITY OF THE AUTHORITY WHICH AN ACT WAS PERFORMED VERSUS THE CONSTITUTIONALITY OF THE BREACH OF AUTHORITY OR ACTION TAKEN OUTSIDE OF THE AUTHORIZED PROCEDURE.

PADDY V. UNITED STATES 430 F. 2d 862 (5th CIR. 1970)

petitioner has been denied due process by both THE GOVERNMENT AND THE STATE BY NOT BEING PRESENT ED IN COURT TO START THE PROCESS OF EXTRIDISTION.

MEMORANDUM OF LAW

A CHINESE PERSON WHO SEEKS TO ENTER THE UNITED STATES BUT IS DENIED A FAIR HEARING AND TURNED OVER TO THE STEAMSHIP COMPANY FOR DEPORTATION AS NOT ENTITLED TO ENTER MAY HAVE A WRIT OF HABEAS CORPUS CHIN YOU V. U.S. CAL. 1908, 28 S. CT 201, 208 U. S. 852 L. ED 369.

THE POWER OF THE FEDERAL COURT TO INTERFERE IN INTERSTATE EXTRADITION PROCEEDINGS SHOULD ONLY BE EXERCISED IN CASES OF URGENCY. WHERE THE ERROR IS PLAIN AND THE NECESSITY FOR FEDERAL INTERVENTION OBVIOUS. IN RE STRAUSS N.Y. 1903, 126 F. 327, 63 C. C. A 99 CERTIFIED QUESTIONS ANSWERED 25 S. CT. 535 197 U.S. 324 49 L. ED 774.

although the courts have power on habeas corpus to review the decision OF THE EXCLUTIVE AUTHOUITY IN EXTRADITION PROCEEDINGS THEYARE CLERLY SATISFIED THAT AN ERROR HAS BEEN COMMITTED. EXPARTE BROWN, D.C.N.Y 1886, 28 f. 653. WHENIT IS ALLEGED IN THE PETITION FOR THE WRIT THAT THE PRISONER IN EXTRADITION PROCEEDING IS RESTRAINED OF HIS LIBERTY CONTRARY TO THE CONSTITUTION AND LAWS OF THE UNITED STATES, THE COURT MAY BY HABEAS CORCUS INQUIRE INTO THE LEGALITY OF HIS ARREST. EX PARTE MORGAN D.C. ART 1883, 20 F. 298.

THE DISTRICT COURT HAS JURISDITION OF PETITION FOR WRIT OF HABEAS CORPUS BY ONE HELD IN EXTRADITION PROCEEDINGS WHERE THERE IS AN ALLEGATION OF VIOLATION OF FUNDAMENTAL RIGHTS GUARANTEED BY THE FEDERAL CONSTITION HARPER V. WALL, D. C. N. J. 1949, 85 f SUPP. 783.

CUYLER V ADAMS NO 78 -1941 A RT. IV SHOULD BE ENTITLED TO WHATEVER SAFE GUARDS OF THE EXTRADITION PROCESS HE MIGHT OTHERWISE HAVE ENJOYED. THOSE SAFEGUARDS INCLUDE THE PROCEDURAL PROTECTIONS OF THE EXTRADITION ACT CIN THOSE STATES THAT HAVE ADOPTED IT AS WELL AS ANY OTHER PROCEDURAL PROTECTIONS THE SENDING STATE GUARANTEES PERSONS BEING EXTRADITED FROM WITHIN ITS BORDERS.

THAT THIS IS WHAT THE DRAFTERS INTENDED IS FURTHER SUGGESTED BY THE DISTINCTION THEY MAKE BETWEEN ART. III AND ART. IV PROCEDURES,

((THE SITUATION CONTEMPLATED BY THIS PORTION OF THE AGREEMENT E ARTICLE IV IS DIFFERENT FROM THAT DEALT WITH IN ARTICLE III . ARTICLE III RELATES TO PROCEEDINGS INITIATED AT THE REQUEST OF THE PRISONER. ACCORDINGLY IN SUCH INSTANCES IT IS FITTING THAT THE PRISONER [redacted] BE REQUIRED TO WAIVE EXTRADITION .IN ARTICLE IV THE PROSECUTOR INITIATES THE PROCEEDING. CONSEQUENTLY IT PROBABLY WOULD BE IMPROPER TO REQUIRE THE PRISONER TO WAIVE THOSE FEATURES OF THE EXTRADITION PROCESS WHICH ARE DESIGNED FOR PROTECTION OF HIS RIGHTS IN AT 79.

NO HEARING WAS OBTAINED TO TRANSFER CUSTODY OF PETITIONER TO THE FEDERAL PENITENTIARY ATLANTA GEORGIA IN THE YEAR OF 1971 AFTER CONVICTION OF A STATE OFFENSE. SEE CONNECTICUT PAPERS ATTACHED HEREIN. NO 15066, NEW HAVEN COUNTY WRITTINS ISSUED JUNE 18, 1971.

NO HEARING WAS OBTAINED TO TRANSFER CUSTODY TO THE STATE OF CONNECTICUT AFTER SERVING OFFEDERAL 3 SENTENCE PAROLED DATE JANUARY 24, 1980.

THEREFORE, BECAUSE OF THE FOREGOING FACTS PETITIONER IS BEING DETAINED AND RESTRAINED OF HIS LIBERTY BY ONE RESPONDENT [redacted] IN VIOLATION OF THE UNITED STATES CONSTITUTION AND THEREFORE HE PRAYS THIS PETITION BE GRANTED. And The detainer Removed with PREJUDICE.

RESPECTFULLY SUBMITTED
John Reid
JOHN REID #C 88
P.O. BOX 1000
MARION, ILLINOIS
62959

SUBSCRIBED AND SWORN TO BEFORE ME THIS 2nd DAY OF June, 1976.

NOTARY PUBLIC

Authorized by the Act of July 7, 1955
to Administer Oaths (19 U. S. C. 4004)
C4-02-81